

**FILED**

## UNITED STATES DISTRICT COURT

May 17, 2021

for the

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXASWESTERN District of TEXASBY: J  
DEPUTYUnited States of America  
v.

Scott M. Brown

Case No. SA-21-MJ-569

Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March through April, 2021 in the county of Kerr in the  
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 1708

Theft or receipt of stolen mail

PENALTIES: Up to 5 years imprisonment.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Cook, Keith (OIG)

Digitally signed by Cook, Keith (OIG)  
Date: 2021.05.14 19:26:14 -05'00'*Complainant's signature*

Keith N. Cook, Special Agent, VA OIG

*Printed name and title*

- ☐
- Sworn to before me and signed in my presence.
- 
- ☒
- Sworn to telephonically and signed electronically.

Date: 5/17/2021 at 1:25pmCity and state: San Antonio, Texas*Judge's signature*

Elizabeth S. Chestney, U.S. Magistrate Judge

*Printed name and title*

**AFFIDAVIT**

1. Your Affiant, Keith N. Cook, is as a Special Agent with the United States Department of Veterans Affairs (VA), Office of Inspector General (OIG), and has been since July 2019. Prior to that, I was an Assistant Special Agent in Charge with the Air Force Office of Special Investigations (AFOSI), where I supervised and conducted complex criminal investigations involving Department of Defense (DoD) technology, assets, and funds. I started my federal law enforcement career with AFOSI in 2012, after spending thirteen active-duty years in the United States Air Force (USAF) as military law enforcement. I received my investigative training from the Federal Law Enforcement Training (FLETC), Criminal Investigator Training Program (CITP), Glynco, GA and received extensive follow-on training from FLETC and other venues. These trainings covered all aspects of criminal and civil violations to include theft, illegal narcotics and financial crime, with advance training in surveillance, money laundering, counter proliferation and procurement fraud. I am currently assigned to the VA OIG South Central Field Office in San Antonio, TX, where I am responsible for conducting investigations into civil and criminal violations of Title 18 of the U.S. Code, and other laws, that pertain to VA programs, facilities and personnel. I have personally supervised, directed and conducted a multitude of criminal and civil investigations, and have participated in the execution of many search and/or seizure warrants on businesses, residences, vehicles, computers and other electronic devices.
2. The information contained within this Affidavit is based upon information your Affiant has gained from his investigation, his personal observations, his training and experience, and/or information provided to your Affiant by other agents, law enforcement officers and Postal Inspectors.
3. This affidavit is made in support of a criminal complaint for the arrest of Scott M Brown (hereinafter referred to as "Brown") for violation of Title 18, United States Code, Section 1708, Theft or Receipt of Stolen U.S. Mail. The facts set forth in this affidavit are based upon my personal knowledge, my training and experience, and information obtained during this investigation from other sources including: (a) other law enforcement officers; and (b)

statements made or reported by witnesses with personal knowledge of relevant facts. This affidavit is intended to show that there is probable cause for the requested complaint and arrest warrant, and does not purport to set forth all of my knowledge of, or investigation into this matter.

#### **SUMMARY OF THE INVESTIGATION**

4. On or about March 2021, the Kerr County Sheriff's Department received several theft reports from victims who had prescriptions stolen from their mailboxes in Kerrville, Ingram, and Center Point, TX, within the Western District of Texas. To date, there are approximately forty victims.
5. On or about March 16, 2021, victim D.M. reported his hydrocodone prescription was stolen from his PO Box at the Ingram Post Office. D.M. advised this is a prescription sent by the Kerrville VA Medical Center. D.M.'s PO Box had been broken into and only the hydrocodone was stolen, but his insulin had been left behind.
6. On or about March 26, 2021, victim J.D. reported his oxycodone prescription sent by the Kerrville VA Medical Center was stolen from his residential mailbox. J.D. received a notification the prescription was delivered on March 24, 2021, but his prescription was not there.
7. On or about March 30, 2021, victim P.L. reported his hydrocodone prescription sent by the Kerrville VA Medical Center was stolen from his residential mailbox. P.L. received a notification the prescription was delivered on March 27, 2021, but when he checked his mail that day the prescription was missing.
8. On or about March 31, 2021, victim R.C. reported his hydrocodone prescription sent by the Kerrville VA Medical Center was stolen from his residential mailbox. R.C. received a notification the prescription was delivered on March 26, 2021, but when he checked his mail that day the prescription was missing.
9. On or about April 16, 2021, victim D.B., reported his hydrocodone prescription sent by the Kerrville VA Medical Center was stolen from his residential mailbox.
10. On or about April 22, 2021, victim D.R.'s hydrocodone prescription sent by the Kerrville VA Medical Center was stolen from his residential mailbox.

11. On or about April 22, 2021, victim P.S.'s hydrocodone prescription sent by the Kerrville VA Medical Center was stolen from his residential mailbox. Other items and medication were left behind, but the hydrocodone was taken.
12. On or about April 24, 2021, victim R.C.'s hydrocodone prescription sent by the Kerrville VA Medical Center was stolen from his residential mailbox.
13. On or about April 25, 2021, victim D.B. reported his hydrocodone prescription was stolen from his PO Box located at the Center Point Post Office.

### **PROBABLE CAUSE**

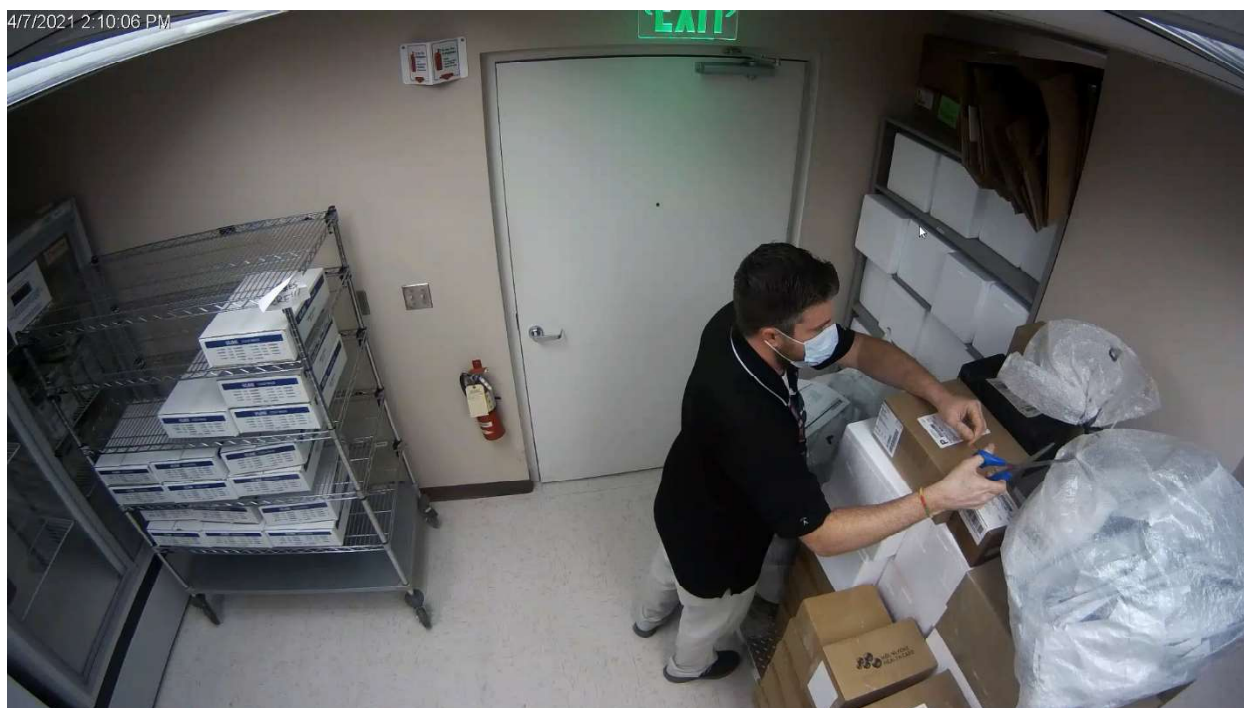
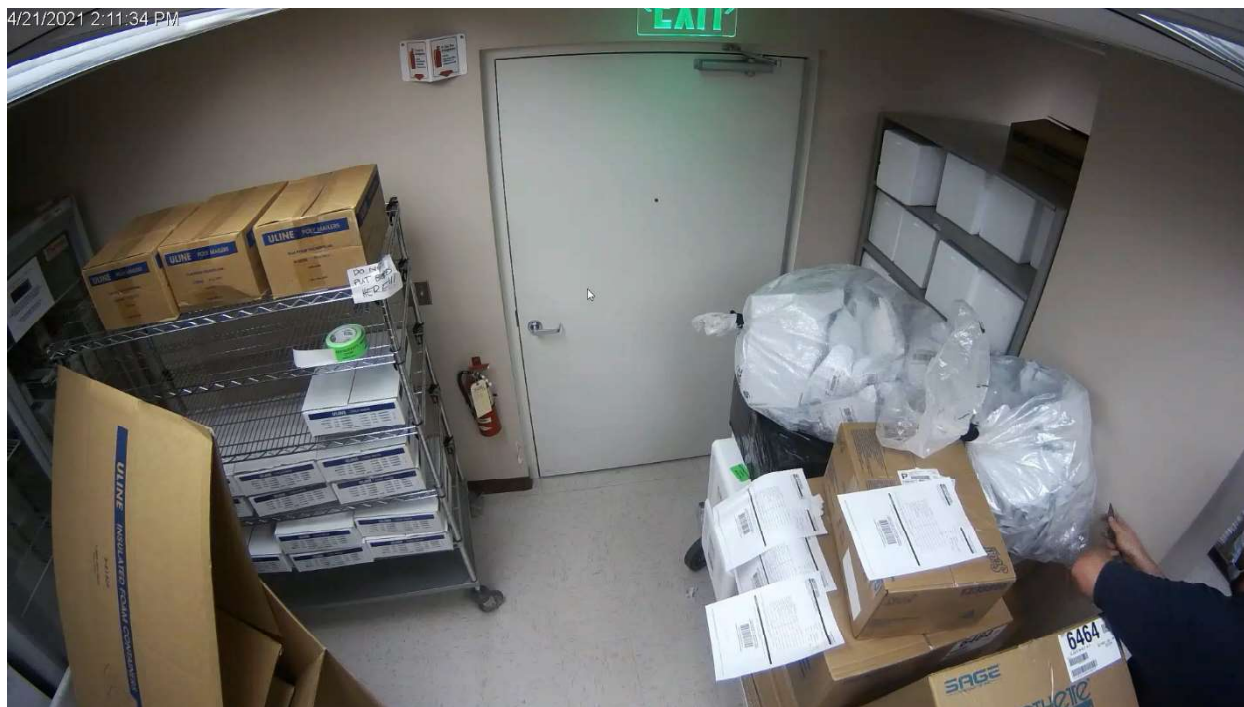
- a) On March 27, 2021, Ring footage was captured from 109 Birdo Boulevard in Kerrville, TX 78028. In the footage, a vehicle identified as an older Chevy Silverado with an extended cab is observed with the window down pulling away from victim P.L.'s (please refer to #7) residential mailbox.



- b) On or about April 2021, the Veteran's Affairs OIG (hereinafter referred to as "VA OIG") reviewed their surveillance cameras in the pharmacy area and identified Brown, a Pharmacy Technician. Brown is observed on camera footage cutting large clear bags that contain individually packaged prescription mailings. Footage is available dating back to the beginning of March 2021.









- c) On or about May 5, 2021, a check of law enforcement databases revealed a vehicle matching the description from the Ring footage. The vehicle is described as a silver 2002 Chevrolet Silverado, 4 door, with an extended cab, plate JFP3705. This vehicle is associated to what Brown drives to and from work and has been observed at his most recent address of [REDACTED] Meadowview Lane, [REDACTED], in Kerrville, TX.



14. Based on my training and experience, I concluded the mail (prescriptions) are being stolen possibly for either resale or personal use. At this time, it is unknown of any other participants in the scheme.
15. I submit that there is probable cause to believe Scott Brown committed violations of Title 18, United States Code, Section 1708, Theft or Receipt of Stolen U.S. Mail.

5/17/2021


Date:

Cook, Keith  
(OIG)

Digitally signed by Cook,  
Keith (OIG)  
Date: 2021.05.14  
19:27:20 -05'00'

Keith N. Cook, Special Agent  
U.S. Department of Veteran Affairs  
Office of the Inspector General

Sworn and Subscribed to me this 17<sup>th</sup> day of May, 2021 and I find probable cause.

  
ELIZABETH S. CHESTNEY  
United States Magistrate Judge  
Western District of Texas